



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 13, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#36 JULY 13, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**DEPARTMENT OF PUBLIC WORKS: JOB ORDER CONTRACTS
FOR MAINTENANCE AND REPAIR OF ROADS
ADOPT, ADVERTISE, AND AWARD
VARIOUS
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to adopt the Job Order Contract Unit Price Book and Specifications, authorize the Director of Public Works or her designee to advertise for bids to be received, award and execute a contract with the lowest responsive and responsible bidder for nine separate Job Order Contracts.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the Job Order Contract Unit Price Book and Specifications for nine separate Job Order Contracts for work involving maintenance, repair, and refurbishment of roads.
2. Authorize the Director of Public Works or her designee to advertise and award during Fiscal Year 2010-11 nine separate Job Order Contracts for work involving maintenance, repair, and refurbishment of roads in a not-to-exceed amount of \$4 million to each of the lowest responsible bidders with responsive bids.
3. Authorize the Director of Public Works or her designee to execute the Job Order Contracts in the form previously approved by County Counsel and to establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds and insurance filed by the contractors.

4. Find the award of Job Order Contracts exempt from the California Environmental Quality Act.
5. Authorize the Director of Public Works or her designee to issue work orders to the selected contractors in an aggregate per Job Order Contract amount not to exceed the maximum amount of each Job Order Contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find the award of these Job Order Contracts (JOCs) are exempt from the California Environmental Quality Act (CEQA) and augment the Department of Public Works' (Public Works) ability to effectively and efficiently maintain, repair, and refurbish County roads and appurtenant improvements.

The JOC is a flexible, cost-effective unit price contracting method to accomplish maintenance, repair, and refurbishment of County of Los Angeles facilities and infrastructure without extensive plans and specifications. The State Public Contract Code allows JOCs to be valid for one year. Public Works will implement the Board-approved Local Worker JOC Program based on project location in accordance with the intent of the program. The proposed JOCs will be used for repair, refurbishment, or other repetitive work, but not for new construction.

This relatively simple and straightforward process reduces administrative requirements and lowers direct construction costs while meeting State and County procurement requirements. The contracts will be publicly advertised for bids and awarded to the lowest responsive and responsible bidders in accordance with the State Public Contracting Code (see the Facts and Provisions/Legal Requirements and Contracting Process Sections for details and definitions).

We recommend the Board of Supervisors (Board) authorize the Director of Public Works (Director) or her designee to award the nine JOCs, each for a \$4 million not-to-exceed amount, following bid review and determination of the lowest responsive and responsible bidders.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by increasing our ability to manage fluctuations in workload in a responsive manner and provide responsive, efficient, and high-quality public service.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund as a result of the recommended actions. Maintenance, repair, and refurbishment work will be financed through the appropriate funding authorization.

Sufficient funds for each JOC work order will be made available from the Fiscal Years 2010-11 and 2011-12 Road Fund Budgets prior to authorizing the work.

Public Works will work with the Chief Executive Office (CEO) to quantify any administrative costs attributable to the Local Worker JOC Program and present any necessary budgetary recommendations to your Board for approval.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contracts will be in the form previously reviewed and approved by County Counsel. The recommended contracts, JOCs 1001 through 1009, will be solicited on an open competitive basis and in accordance with applicable State and County requirements. The contractors will be in compliance with the requirements of the CEO and your Board.

The award of these contracts will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles' (County) Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by demonstrating the attributes of trustworthiness, quality, fitness, capacity, experience to satisfactorily perform the work required under the bid solicitation.

To ensure that each contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The Unit Price Book and Specifications include the contractual provisions, methods, and material requirements necessary for these projects and are on file with Public Works. Enclosed is the scope of work for the JOCs.

Local Worker Hiring JOC Program

Monitoring of the Local Worker JOC Program will be provided by Public Works contract administration staff based on review of the JOC worksite and individual labor hours in the local area to determine a percentage of hours worked by each of the specific work orders. The contractor will provide certified payroll records for labor forces. These records will be monitored by work order, hours worked, and zip code of the workers to establish the percentage of total work performed by local forces. Public Works will report the results of the Local Worker JOC Program to your Board

each year as part of its annual resolicitation for JOC contractors.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are exempt from CEQA because it can be seen with certainty that there is no possibility that their approval may have a significant impact on the environment pursuant to Section 15061(b)(3) of the State CEQA Guidelines. The proposed actions are covered by the general rule that CEQA only applies to actions that have a potential for causing a significant effect on the environment. The adoption of the JOC unit price books and authorization to award JOC contracts does not include approval of work pursuant to the contracts. The implementation of each work order under these JOCs will be subject to prior determination and documentation by Public Works that the work is categorically exempt. The type of work to be performed under these JOCs is generally anticipated to be exempt under Section 15301, Class 1, of the State CEQA Guidelines as well as the Class 1 of the County Environmental Document Reporting Procedures since it involves maintenance of landscaping and maintenance, repair and refurbishment of roadways. In the event the work under the work orders is not exempt, your Board will be requested to approve the appropriate environmental finding and documentation prior to implementation of work.

CONTRACTING PROCESS

These contracts will be contracted on an open-competitive bid basis. A recommendation for award of each JOC by the Director or her designee will be made upon review of the bids meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, these contracts will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The use of these contracts will expedite the completion of maintenance, repair, and refurbishment of County roads. Minor impacts to adjacent residents and businesses, and motorists may occur while maintenance, repair, and refurbishment work on County roads is underway.

CONCLUSION

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER
Director

GF:JTS:bc

Enclosures

c: Chief Executive Office
County Counsel
Executive Office
Office of Affirmative Action Compliance

ENCLOSURE

<u>SD</u>	<u>PROJECT ID NO.</u>	<u>JOC</u>	<u>SCOPE OF WORK</u>
All	RMDJOC1001	1001	Parkway concrete maintenance
All	RMDJOC1002	1002	Tree trimming and removal
5	RMDJOC1003	1003	Tree trimming and removal
All	RMDJOC1004	1004	Roadway resurfacing
All	RMDJOC1005	1005	Guardrail Replacement
All	RMDJOC1006	1006	Guardrail replacement
All	RMDJOC1007	1007	Roadway resurfacing
All	RMDJOC1008	1008	Roadway seal coating
5	RMDJOC1009	1009	Roadway seal coating